

**IN THE HIGH COURT FOR THE STATE OF TELANGANA
AT HYDERABAD**

FRIDAY, THE TWENTY NINTH DAY OF AUGUST
TWO THOUSAND AND TWENTY FIVE

PRESENT

THE HONOURABLE SMT JUSTICE JUVVADI SRIDEVI

CIVIL REVISION PETITION NOS: 1968, 2015 AND 2137 OF 2025

CIVIL REVISION PETITION NO: 1968 OF 2025

Petition under Article 227 of the constitution of India against the Order and decree dated 19.03.2025 passed in IA No. 164 of 2025 in OS No. 28 of 2001 on the file of the Court of the Senior Civil Judge at Suryapet, Suryapet District.

Between:

1. Miryala Naga Rani, W/o. Venkata Narayana Rao, Aged about 57 Years Occ. Housewife, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad.
2. Miryala Nikhil, S/o. Venkata Narayana Rao, Aged about 31 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad. Represented by his Power of Attorney Holder Miryala Akhil S/o. Venkata Narayana Rao Aged about 27 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad.
3. Miryala Akhil, S/o. Venkata Narayana Rao, Aged about 27 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad.

Petitioner No.3 is permitted as GPA Holder to Petitioner No.2 as per court order dated 26-06-2025 vide I.A.No.1 of 2025 in CRP.No.1968 of 2025.

...Petitioner/Respondent

AND

1. Miryala (Dammalapati) Koti Ratnam, W/o. Vishnu Vardhan Aged about 64 Years Occ. Retd Employee Plot No. 22 Phase I TNGOs Colony Near Q City Gachi Bowli Hyderabad.

...Respondent/Petitioner/Plaintiff

2. Miryala Venkata Narayana Rao, S/o. China Ramaiah Aged about 63 Years Occ. Retd Employee, R/o. D No. 1-54/17 (G2) Surya Nivas, Madhava Enclave Madeenaguda, Hyderabad
3. Dammalapati Nagalakshmi, W/o. Mohana Krishna Aged about 58 Years Occ. Household R/o. Plot No. 129 Phase - I TNGOs Colony Near Q City Gachi Bowli Hyderabad.

4. Miryala Chandrakala, W/o. Nagendra Prasad Aged about 55 Years Occ. Teacher R/o. Plot No. 497 Phase - I TNGOs Colony Near Q City Gachi Bowli Hyderabad.
5. Kolishetty Vijaya Lakshmi, W/o. Somaiah Aged about 52 Years Occ. Teacher Government High School Burgampahad Mandal, Badradri Kothagudem District.

(RESPONDENT NOS.2 TO 5 ARE NOT NECESSARY PARTIES)

...Respondents/Respondents/Defendants

IA NO: 2 OF 2025

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings OS No. 28 of 2001 on the file of the Court of the Senior Civil Judge at Suryapet, Suryapet District pending disposal of the main C.R.P.

CIVIL REVISION PETITION NO: 2015 OF 2025

Petition under Article 227 of the constitution of India against the Order and decree dated 16.04.2025 passed in IA No. 213 of 2025 in OS No. 28 of 2001 on the file of the Court of the Senior Civil Judge at Suryapet, Suryapet District.

Between:

1. Miryala Naga Rani, W/o. Venkata Narayana Rao, Aged about 57 Years Occ. Housewife, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad.
2. Miryala Nikhil, S/o. Venkata Narayana Rao, Aged about 31 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad. Represented by his Power of Attorney Holder Miryala Akhil S/o. Venkata Narayana Rao Aged about 27 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Madhava Enclave, Madinaguda, Hyderabad.
3. Miryala Akhil, S/o. Venkata Narayana Rao, Aged about 27 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad.

Petitioner No.3 is permitted as GPA Holder to Petitioner No.2 as per court order dated 26-06-2025 vide I.A.No.1 of 2025 in CRP.No.1968 of 2025.

...Petitioner/Respondent

AND

1. Miryala (Dammalapati) Koti Ratnam, W/o. Vishnu Vardhan, Aged about 64 Years Occ. Retd Employee Plot No. 22 Phase I TNGOs Colony Near Q City Gachi Bowli Hyderabad.

...Respondent/Petitioner/Plaintiff

2. Miryala Venkata Narayana Rao, S/o. China Ramaiah Aged about 63 Years Occ. Retd Employee, R/o. D No. 1-54/17 (G2) Surya Nivas, Madhava Enclave Madeenaguda, Hyderabad
3. Dammalapati Nagalakshmi, W/o. Mohana Krishna Aged about 58 Years Occ. Household R/o. Plot No. 129 Phase - I TNGOs Colony Near Q City Gachi Bowli Hyderabad.
4. Miryala Chandrakala, W/o. Nagendra Prasad Aged about 55 Years Occ. Teacher R/o. Plot No. 497 Phase- I TNGOs Colony Near Q City Gachi Bowli Hyderabad.
5. Kolishetty Vijaya Lakshmi, W/o. Somaiah Aged about 52 Years Occ. Teacher Government High School Burgampahad Mandal, Badradri Kothagudem District.

(RESPONDENT NOS.2 TO 5 ARE NOT NECESSARY PARTIES)

...Respondents/Respondents/Defendant

IA NO: 2 OF 2025

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings OS No.28 of 2001 on the file of the Court of the Senior Civil Judge at Suryapet, Suryapet District pending disposal of the main C.R.P.

CIVIL REVISION PETITION NO: 2137 OF 2025

Petition under Article 227 of the constitution of India against the Order and decree dated 17.04.2025 passed in IA No. 214 of 2025 in OS No. 28 of 2001 on the file of the Court of the Senior Civil Judge at Suryapet, Suryapet District.

Between:

1. Miryala Naga Rani, W/o. Venkata Narayana Rao, Aged about 57 Years Occ. Housewife, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad.
2. Miryala Nikhil, S/o. Venkata Narayana Rao, Aged about 31 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad. Represented by his Power of Attorney Holder Miryala Akhil S/o. Venkata Narayana Rao Aged about 27 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad.
3. Miryala Akhil, S/o. Venkata Narayana Rao, Aged about 27 Years Occ. Student, R/o. H No. 1-54/17(G2), Surya Nivas, Madhava Enclave, Madinaguda, Hyderabad.

...Petitioners/Respondent Nos.5 to 7/Defendant Nos.5 to 7

AND

1. Miryala (Dammalapati) Koti Ratnam, W/o. Vishnu Vardhan Aged about 64 Years Occ. Retd Employee Plot No. 22 Phase I TNGOs Colony Near Q City Gachi Bowli Hyderabad.

...Respondent/Petitioner/Plaintiff

2. Miryala Venkata Narayana Rao, S/o. China Ramaiah Aged about 63 Years Occ. Retd Employee, R/o. D No. 1-54/17 (G2) Surya Nivas, Madhava Enclave Madeenaguda, Hyderabad
3. Dammalapati Nagalakshmi, W/o. Mohana Krishna Aged about 58 Years Occ. Household R/o. Plot No. 129 Phase - I TNGOs Colony Near Q City Gachi Bowli Hyderabad.
4. Miryala Chandrakala, W/o. Nagendra Prasad Aged about 55 Years Occ. Teacher R/o. Plot No. 497 Phase - I TNGOs Colony Near Q City Gachi Bowli Hyderabad.
5. Kolishetty Vijaya Lakshmi, W/o. Somaiah Aged about 52 Years Occ. Teacher Government High School Burgampahad Mandal, Badradri Kothagudem District.

(RESPONDENT NOS.2 TO 5 ARE NOT NECESSARY PARTIES)

...Respondents/Respondents No.1 to 4/Defendants No.1 to 4

IA NO: 1 OF 2025

Petition under Order 3(2) (a) of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to permit the petitioner 3rd herein to file the present CRP on behalf of the 2nd petitioner herein being as a Power of Attorney Holder.

IA NO: 2 OF 2025

Petition under Section 151 of CPC praying that in the circumstances stated in the affidavit filed in support of the petition, the High Court may be pleased to stay of all further proceedings OS No. 28 of 2001 on the file of the Court of the Senior Civil Judge at Suryapet, Suryapet District pending disposal of the main C.R.P.

**Counsel for the Petitioners in all CRPs : SRI VEDULA SRINIVAS representing
SRI KOPPULA GOPAL**

Counsel for the Respondents in all CRPs : SRI J ASHVINI KUMAR

The Court made the following: COMMON ORDER

THE HONOURABLE SMT. JUSTICE JUVVADI SRIDEVI

CIVIL REVISION PETITION Nos.1968, 2015 & 2137 of 2025

COMMON ORDER:

Since these three Civil Revision Petitions are interlinked with each other and the parties are one and the same, these matters are being disposed of by way of common order.

02. The Civil Revision Petition No.1968 of 2025 filed by the petitioners herein, who are arrayed as the defendants Nos.5 to 7 in the suit, assailing the Order dated 19.03.2025 passed in I.A.No.164 of 2025 in O.S.No.28 of 2001 by the learned Senior Civil Judge, Suryapet, Suryapet District (hereinafter referred to as 'the trial Court'). By the said order, the learned trial Court allowed an application filed under Order I Rule 10 read with Order VI Rule 17 and Section 151 of the Code of Civil Procedure, 1908 (for short, 'CPC'), seeking impleadment and amendment.

03. The Civil Revision Petition No.2137 of 2025 filed by the petitioners herein, who are arrayed as the defendants Nos.5 to 7 in the suit, challenging the Order dated

17.04.2025 passed in I.A.No.214 of 2025 in O.S.No.28 of 2001 by the learned trial Court. By the said order, the learned trial Court allowed an application filed under Order VI Rule 17 read with Section 151 of CPC, seeking amendment of the plaint by incorporating additional paragraphs.

04. The Civil Revision Petition No.2015 of 2025 filed by the petitioners herein, who are arrayed as the defendants Nos.5 to 7 in the suit, challenging the Order dated 16.04.2025 passed in I.A.No 213 of 2025 in O.S.No.28 of 2001 by the learned trial Court. By the said order, the learned trial Court dismissed an application filed under Order VII Rule 11 (a) and (d) read with Section 151 of CPC, seeking to reject the plaint.

05. Heard Sri Vedula Srinivas, learned Senior Counsel representing Sri Koppula Gopal, learned counsel for the petitioners and Sri J.Ashwini Kumar, learned counsel for the respondents. Perused the material available on record.

06. During the course of submissions, the learned Senior Counsel appearing for the petitioners, as well as the learned counsel for the respondents, submitted that they are

not aggrieved by the orders dated 19.03.2025 and 17.04.2025, whereby the petitioners herein were impleaded as defendants in the main suit and the plaint was permitted to be amended by incorporating certain paragraphs. It was contended by the learned Senior Counsel for the petitioners that the learned trial Court committed a grave irregularity in deciding the application for rejection of the plaint prior to the disposal of the application for amendment of the plaint. Thereby, the said order is premature and prayed to set aside the same. The learned counsel for the respondents expressed no objection to the said request and sought for remand of the matter to the learned trial Court for fresh consideration of the said application, with a direction to dispose of the same expeditiously within a stipulated time frame.

07. During the course of submissions, the learned Senior Counsel appearing for the petitioners, as well as the learned counsel for the respondents, submitted that they are not aggrieved by the orders dated 19.03.2025 and 17.04.2025, whereby the petitioners herein were impleaded as defendants in the main suit and the plaint was permitted

to be amended by incorporating certain paragraphs. However, the learned Senior Counsel for the petitioners contended that the learned trial Court committed a grave irregularity in deciding the application filed under Order VII Rule 11 CPC for rejection of the plaint prior to the disposal of the application seeking amendment of the plaint, thereby the said order is premature. Hence, he prayed for setting aside the impugned order. The learned counsel for the respondents raised no objection to the said request and submitted that the matter may be remanded to the learned trial Court for fresh consideration of the application, with a direction to dispose of the same expeditiously within a stipulated time frame.

08. This Court had taken note of the submissions made by the learned counsel of the both sides.

09. On a perusal of the impugned orders dated 19.03.2025 and 17.04.2025, whereby the petitioners herein were impleaded as defendants in the main suit and the plaint was permitted to be amended by incorporating certain paragraphs, it is evident that neither party has contended

that any new case has been introduced by virtue of the said amendment or impleadment. Even though certain paragraphs were added to the plaint consequent to the impleadment of the petitioners, no prejudice is likely to be caused to either side, as both parties will have sufficient opportunity during the course of trial to advance their respective contentions at the stage of adjudication of issues. Therefore, this Court finds no illegality or material irregularity in the orders dated 19.03.2025 and 17.04.2025 passed by the learned trial Court. Accordingly, there are no valid grounds to interfere with the said orders. Hence, Civil Revision Petition Nos.1968 and 2137 of 2025 are liable to be dismissed.

10. In view of the facts and circumstances of the case, and having regard to the fact that the application filed under Order VII Rule 11 CPC was decided prior to the disposal of the application seeking amendment of the plaint, this Court is of the considered opinion that, in order to meet the ends of justice and in light of the procedural irregularity committed by the learned trial Court, the Order dated 16.04.2025 passed in I.A.No.213 of 2025 in O.S.No.28 of

2001 is liable to be set aside. Accordingly, the same is hereby set aside. The matter is remanded to the learned trial Court for fresh consideration of the said application, which shall be disposed of within a period of fifteen (15) days from the date of receipt of a copy of this order. It is further made clear that the learned trial Court shall decide the matter independently and shall not be influenced, in any manner whatsoever, by any of the observations made in this order.

11. With the above observations and directions, the Civil Revision Petition No.2015 of 2025 is disposed of. The Civil Revision Petition No.1968 and 2137 of 2025 are dismissed. There shall be no order as to costs.

As a sequel, pending miscellaneous applications, if any, shall stand closed.

SD/-L.LAKSHMI BABU
DEPUTY REGISTRAR

//TRUE COPY//

SECTION OFFICER

To,

1. The Senior Civil Judge at Suryapet, Suryapet District.
2. One CC to SRI KOPPULA GOPAL, Advocate [OPUC]
3. One CC to SRI J ASHVINI KUMAR, Advocate [OPUC]
4. Two CD Copies

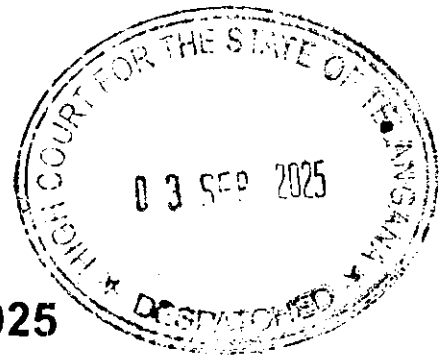
ADK/NVB

HIGH COURT

DATED:29/08/2025

COMMON ORDER

CRP.No.1968, 2015 AND 2137 of 2025



**DISPOSING OF THE CRP
NO.2015 OF 2025 AND
DISMISSING THE CRP Nos.
1968 AND 2137 OF 2025
WITHOUT COSTS**

6mt
3/9/25